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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,255	04/19/2004	Yuichiro Uchigaki	Q80995	9402
23373 7590 07/08/2009 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			EXAMINER ABDUL-ALL, OMAR R	
			ART UNIT 2173	PAPER NUMBER
			MAIL DATE 07/08/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/826,255

Applicant(s)

UCHIGAKI ET AL.

Examiner

OMAR ABDUL-ALI

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 April 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 12-18 is/are rejected.
- 7) ☐ Claim(s) 11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date: _____

DETAILED ACTION

The following action is in response to the filing of August 18, 2008. Claims 1-18 are pending and have been considered below.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-5, 7, 8, 10, 12, and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Sharif et al. (US 2003/0115167).

Claim 1: Sharif discloses a browser apparatus, comprising:

- a. information acquisition means for acquiring page data (page 2, paragraph 36);
- b. display means for displaying information (page 2, paragraph 35);
- c. shift direction input means (arrow keys) for inputting a shift direction (page 2, paragraph 37);
- d. command input means (numeric and function keys) for inputting a command (page 2, paragraph 37);
- e. control means for displaying the page data acquired by said information acquisition means on said display means in response to a shift command indicating a

shift direction input by said shift direction input means and to an operation command indicating an operation input by said command input means (page 3, paragraph 40). Specifically, Sharif discloses a user may use the arrow keys to navigate buttons on a button bar and select modes such as browse, album, or news. Through the selection of these options, the page data is manipulated.

f. wherein said control means has a plurality of operation modes, and assigns different functions to said shift direction input means and said command input means depending on the mode of said browser apparatus as functions of manipulating the page displayed on said display means (page 3, paragraph 39). Sharif discloses there are one or two bars at the bottom of the display depending on the currently selected mode. The user may navigate using the arrow keys among a plurality of modes in a menu (button bar) using the left and right keys. When the browse mode is selected, the functionality of the arrow keys is modified to scroll a current selection horizontally or vertically (page 5, paragraph 64). The command input means is also changed depending on the mode, as illustrated by figures 5 and 6. In the browse mode of figure 5, the primary buttons 51 are listed as NEXT, PREV, BACK, and SCROLL. By actuating the corresponding numeric keys, these options are chosen. When the zoom mode is enabled, the functionality of these keys change once again to BACK, FULL, Z OUT, Z IN, and SAVE.

g. wherein one of the plurality of operation modes includes a surf mode of selecting part of the page by moving a mouse cursor displayed on said display means in response to the shift command from said shift direction input means (page 12,

paragraph 121). Sharif describes the use of an "X" cursor that is moved in response to the movement of the four direction keys after transferring focus to an image. When the select key is pressed, the browser loads a new page from the URL of the link.

Claim 2: Sharif discloses a browser apparatus as in Claim 1 above, further comprising:

a. said control means switches the plurality of operation modes in response to the shift command from said shift direction input means or to the operation command from said command input means (page 3, paragraph 40). The user is able to use the arrow keys to navigate buttons on a button bar and select modes such as browse, album, or news.

Claim 3: Sharif discloses a browser apparatus as in Claim 2 above, further comprising:

a. a menu mode of selecting a menu item from a menu (button bar) displayed on said display means in response to the shift command from said shift direction input means (page 3, paragraph 40).

b. a scrolling mode of scrolling the page displayed on said display means in vertical and horizontal directions in response to the shift command from said shift direction input means (page 5, paragraph 64).

Claim 4: Sharif discloses a browser apparatus as in Claim 2 above, further comprising:

a. said shift direction input means comprises a cross key for outputting four types of shift commands by manipulating the cross key in four directions, top, bottom, left, and right directions (Figure 23).

Claim 5: Sharif discloses a browser apparatus as in Claim 2 above, further comprising:

a. said command input means comprises an enter key (select key) for starting processing, and a back key for making transition of the operation mode (BACK) (page 4, paragraph 59).

Claim 7: Sharif discloses a browser apparatus as in Claim 1 above, further comprising:

a. said page comprises a webpage (page 3, paragraph 43).

Claim 8: Sharif discloses a browser apparatus as in Claim 5 above, further comprising:

a. said enter key and said back key comprise separate keys on said command input means (page 4, paragraph 59).

Claim 10: Shariff discloses a browser apparatus as in Claim 3 above, further comprising:

a. said command input means comprises an enter key for starting processing and a back key for making transition of the operation mode, and wherein in said menu mode, the enter key carries out a selected menu item (page 3, paragraph 40) and in

said surf mode the enter key simulates a left-click of a mouse at a position of the mouse cursor (page 9, paragraph 95).

Claim 12: Shariff discloses a browser apparatus as in Claim 4 above, further comprising:

a. the control means assigns different functions of manipulating the page displayed on the display means to said four directions (page 3, paragraph 40; page 12, paragraph 121).

3. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sharif et al. (US 2003/0115167) in view of Pu et al. (US 2001/0056325).

Claim 6: Sharif discloses a browser apparatus as in Claim 1 above, but does not explicitly disclose said browser apparatus is implemented on a vehicle navigation system. Pu discloses a similar browser apparatus that further discloses a mobile browser implemented on a vehicle navigation system that includes a cross key. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement the browser apparatus on a vehicle navigation system in Sharif. One would have been motivated to implement the browser apparatus on a vehicle navigation system in order to increase system usability.

4. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sharif et al. (US 2003/0115167) in view of Thompson (US 5,236,199).

Claim 13: Sharif discloses a browser apparatus as in Claim 5 above, further comprising a back key, but does not explicitly disclose said back key transitions the operation mode regardless of a current operation mode. Thompson discloses a similar browser apparatus that further discloses an escape key is provided to signal the computer that the user desired to leave a current program (mode) or to branch to another. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to transition the operation mode regardless of a current operating mode in Sharif. One would have been motivated to include this limitation in order to allow a user to exit a current mode and return to a starting point.

5. Claims 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sharif et al. (US 2003/0115167) in view of Nishiyama (US 7,019,731).

Claim 14: Sharif discloses a browser apparatus as in claim 12 above, further comprising the cross key manipulated in the top direction in said surf mode moves the mouse cursor to an upward direction (page 12, paragraph 121). However, Sharif does not explicitly disclose the cross key manipulated in the top direction in said scroll mode scrolls a whole page in a downward direction. Nishiyama discloses a similar browser

apparatus that further discloses manipulating a key in a top direction scrolls an image in a downward direction (column 8, lines 41-61). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to scroll a page in a downward direction in Sharif. One would have been motivated to scroll an image in a downward direction in response to manipulating the cross key in a top direction for design choice.

Claim 15: Sharif discloses a browser apparatus as in claim 12 above wherein the cross key manipulated in the bottom direction in said menu mode transitions to said surf mode, the cross key manipulated in the bottom direction in said surf mode moves the mouse cursor in the downward direction (page 12, paragraph 121) but does not explicitly disclose the cross key manipulated in the bottom direction in said scroll mode scrolls a whole page in an upward direction. Nishiyama discloses a similar browser apparatus that further discloses manipulating a key in a bottom direction scrolls an image in an upward direction (column 8, lines 41-61). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to scroll a page in an upward direction in Sharif. One would have been motivated to scroll an image in an upward direction in response to manipulating the cross key in a bottom direction for design choice.

Claim 16: Sharif discloses a browser apparatus as in Claim 12 above wherein the cross key manipulated in the left direction in said menu mode moves focus to a left-hand side

menu item (page 3, paragraph 40), the cross key manipulated in the left direction in said surf mode moves the mouse cursor leftward (page 12, paragraph 121), but does not explicitly disclose the cross key manipulated in the left direction in said scroll mode scrolls a whole page rightward. Nishiyama discloses a similar browser apparatus that further discloses manipulating a key in a left direction scrolls an image rightward (column 8, lines 41-61). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to scroll a page rightward direction in Sharif. One would have been motivated to scroll an image in a rightward direction in response to manipulating the cross key in a left direction for design choice.

Claim 17: Sharif discloses a browser apparatus as in Claim 12 above wherein the cross key manipulated in the right direction in said menu mode moves focus to a right-hand side menu item (page 3, paragraph 40), the cross key manipulated in the right direction in said surf mode moves the mouse cursor rightward (page 12, paragraph 121), but does not explicitly disclose the cross key manipulated in the right direction in said scroll mode scrolls a whole page leftward. Nishiyama discloses a similar browser apparatus that further discloses manipulating a key in a right direction scrolls an image leftward (column 8, lines 41-61). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to scroll a page in a leftward direction in Sharif. One would have been motivated to scroll an image in a leftward direction in response to manipulating the cross key in a left direction for design choice.

Allowable Subject Matter

6. Claim 11 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

7. Applicant's arguments filed 4/07/2009 have been fully considered but they are not persuasive.

Claim 1: Applicant argues the various keys in Sharif do not manipulate displayed pages differently depending on whether the current mode is Navigation or Browse. However, Sharif discloses the directional keys are used to navigate between menu options in a menu mode, and are operable to scroll the display of the primary display in a scroll mode. Two different functions assigned to the shift input means are changing a currently selected button on the secondary bar through left and right key actuation, and scrolling the image within the primary display.

Applicant argues Sharif does not disclose assigning different functions to said command input means depending on the mode of said browser apparatus as functions of manipulating the page displayed on said display means. However, Sharif discloses in the browse mode of figure 5, the primary buttons 51 are listed as NEXT, PREV, BACK, and SCROLL. By actuating the corresponding numeric keys, these options are

chosen. When the zoom mode is enabled, the functionality of these keys change to BACK, FULL, Z OUT, Z IN, and SAVE. The NEXT command selects an outgoing link that can be considered a "next page" link in the browse mode to load a new browser page, and the BACK command causes the browser to find a previous link.

Applicant argues Sharif does not disclose one of the plurality of operation modes includes a surf mode of selecting part of the page by moving a mouse cursor displayed on said display means in response to the shift command from said shift direction input means. Though Sharif discloses the browser does not use a mouse pointer, an X cursor that provides the same selection functionality of a mouse cursor is enabled by the system. The user may move the X cursor through quadrants of the screen in order to select links in the interface.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OMAR ABDUL-ALI whose telephone number is (571)270-1694. The examiner can normally be reached on Mon-Fri(Alternate Fridays Off) 9:30 - 7:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kieu Vu can be reached on 571-272-4057. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

OAA
7/03/2009

/Kieu Vu/
Supervisory Patent Examiner, Art Unit 2173

